

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALLEN E. PEITHMAN JR.,
SHARON A. ELDER,
CORNERSTONE PLAZA, Inc.; and
AEP PROPERTIES, L.L.C.;

Defendants.

4:15CR3091

**PRELIMINARY ORDER OF
FORFEITURE REGARDING
SUBSTITUTE PROPERTY**

This matter is before the Court upon the United States of America's Motion for a Preliminary Order of Forfeiture of substitute property (Filing No. 545). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. The United States has requested a Preliminary Order of Forfeiture of substitute property regarding real property located at 1075 N. 33rd St. Lincoln, NE 68503.
2. On December 30, 2019, this Court entered an amended money judgment in the amount of \$1,025,288.75 against each defendant jointly and severally, judgement in the amount of \$58,826.79 solely against Allen E. Peithman, Jr.; and judgment in the amount of \$58,826.78 solely against Sharon A. Elder. (Filing No. 506).

3. Defendants continue to owe amounts pursuant to the money judgment (Filing No. 506).
4. The Motion for a Preliminary Order of Forfeiture of substitute property should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Motion for a Preliminary Order of Forfeiture of substitute property regarding real property located at 1075 N. 33rd St. Lincoln, NE 68503 is hereby granted.

B. The United States is authorized to seize the real property located at 1075 N. 33rd St. Lincoln, NE 68503.

C. Defendants' interest in the real property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The United States shall hold the real property in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish notice of this Preliminary Order of Forfeiture for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the property.

F. Pursuant to 21 U.S.C. § 853(n)(2), such notice shall provide that any person, other than the defendants, having or claiming a legal interest in any of the property must file a petition with this Court within 30 days of the final publication of notice or of receipt of actual notice, whichever is earlier.

G. Pursuant to 21 U.S.C. § 853(n)(3), a petitioner must sign a petition under penalty of perjury and set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and the relief sought.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 24th day of November, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge